

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 3:09-00125
)	Judge Haynes
LOUIS J. LEVINE)	

**RESPONSE OF DEFENDANT LEVINE TO GOVERNMENT’S MOTION TO
CONTINUE SUPPRESSION HEARING**

COMES NOW the Defendant, **Louis J. Levine**, by and through his undersigned counsel, and does not oppose the government’s motion to continue the suppression hearing. However, it should be noted that the transcripts filed today are of interviews conducted by the Metro Nashville Police Department which were produced to the Defendant in a parallel State prosecution. The federal government has always had these recordings and but for the State’s decision to produce them as discovery in the parallel prosecution, Defendant Levine would have been unable to advance his suppression challenge in this Court. The *in camera* filing was hand-delivered today to the U.S. Attorney’s Office. Given the sensitive nature of the material, undersigned counsel thought that it would be more appropriate to hand-deliver the transcripts, marked “under seal - please handle accordingly,” rather than sending them via email. Same day hand-delivery should not have prejudiced the government.

Again, if the government needs more time to review the transcripts (of recordings that it created), that is fine and the Defendant does not oppose the motion.

Respectfully submitted,

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BY: s:/ Peter J. Strianse
PETER J. STRIANSE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent via the Court's electronic filing system, if registered, or, if unregistered in the Court's system, it has been sent via facsimile and deposited in the United States Mail, postage prepaid, to:

S. Carran Daughtrey
Assistant United States Attorney
110 Ninth Avenue South
Suite A961
Nashville, TN 37203-3870

This 11th day of May, 2010.

S:/ Peter J. Strianse
PETER J. STRIANSE